

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**TERRANCE LOVETT,**

**Plaintiff,**

**v.**

**Case No. 18-cv-127-NJR-GCS**

**CRAIG A. FOSTER and  
DR. EMMANUEL AFUWAPE,**

**Defendants.**

**MEMORANDUM AND ORDER**

**ROSENSTENGEL, Chief Judge:**

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Gilbert Sison (Doc. 63) regarding the motion for summary judgment filed by Dr. Emmanuel Afuwape (Docs. 36 and 37) and the motion for summary judgment filed by Defendant Craig A. Foster (Docs. 38 and 39). The Report and Recommendation was entered on May 24, 2019; it recommends granting both motions (Doc. 63). No objections were filed.

Where neither timely nor specific objections to the Report and Recommendation are made, the Court should review the Report and Recommendation for clear error. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). The Court may then “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

The undersigned has reviewed Judge Sison’s Report and Recommendation and finds there is no clear error in his findings of fact or conclusions of law regarding

exhaustion. Accordingly, the Report and Recommendation (Doc. 63) is **ADOPTED** in its entirety. The Court **GRANTS** the motion for summary judgment filed by Dr. Emmanuel Afuwape (Docs. 36 and 37) and the motion for summary judgment filed by Defendant Craig A. Foster (Docs. 38 and 39). This action is **DISMISSED without prejudice** for failure to exhaust administrative remedies.

**IT IS SO ORDERED.**

**DATED:** August 6, 2019



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NANCY J. ROSENSTENGEL  
Chief U.S. District Judge